

ESTTA Tracking number: **ESTTA732914**

Filing date: **03/11/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91225613
Party	Defendant AAF Nation, LLC
Correspondence Address	ANDREW D SKALE MINTZ LEVIN COHN FERRIS ET AL 3580 CARMEL MOUNTAIN RD, STE 300 SAN DIEGO, CA 92130-6768 UNITED STATES adskale@mintz.com, jddib@mintz.com
Submission	Answer
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Date	03/11/2016
Attachments	Answer to Notice of Opposition - SEMPER SILKIES.pdf(13140 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Trademark Application No. 86/563273 for the mark SEMPER SILKIES
Published in the Official Gazette August 25, 2015

_____)	
M.J. Soffe, LLC)	
)	
Opposer,)	
)	
v.)	Opposition No. 91225613
)	
)	
AAF Nation, LLC)	
)	
Applicant.)	
_____)	

ANSWER AND AFFIRMATIVE DEFENSES TO NOTICE OF OPPOSITION

Applicant AAF Nation, LLC (“Applicant”), by its undersigned counsel, hereby files its
Answer and Affirmative Defenses to the Notice of Opposition as follows:

ANSWER

1. Applicant admits the allegations set forth in Paragraph 1 of the Notice of Opposition.
2. Applicant admits the allegations set forth in Paragraph 2 of the Notice of Opposition.
3. Applicant admits the allegations set forth in Paragraph 3 of the Notice of Opposition.
4. Applicant denies the allegations in Paragraph 4.
5. Applicant denies the allegations in Paragraph 5.
6. Applicant admits the allegations set forth in Paragraph 6 of the Notice of Opposition.
7. Applicant is without information sufficient to form a belief as to the truth of the
allegations contained in Paragraph 7, and, therefore, all such allegations are denied.

8. Applicant is without information sufficient to form a belief as to the truth of the allegations contained in Paragraph 8, and, therefore, all such allegations are denied.

9. Applicant denies the allegations in Paragraph 9.

10. Applicant denies the allegations in Paragraph 10.

11. Applicant is without information sufficient to form a belief as to the truth of the allegations contained in Paragraph 11, and, therefore, all such allegations are denied.

12. Applicant is without information sufficient to form a belief as to the truth of the allegations contained in Paragraph 12, and, therefore, all such allegations are denied.

13. Applicant is without information sufficient to form a belief as to the truth of the allegations contained in Paragraph 13, and, therefore, all such allegations are denied.

14. Applicant denies the allegations in Paragraph 14.

15. Applicant denies the allegations in Paragraph 15.

AFFIRMATIVE DEFENSES

1. The Notice of Opposition should be dismissed for failure to state a claim upon which relief can be granted.

2. Applicant has priority of use and therefore Opposer's Opposition should be dismissed.

3. Opposer's Opposition is barred by principles of equity and fairness, including estoppel and/or laches.

4. This Opposition is still in its preliminary stages, and Applicant reserves all further Affirmative Defenses that are or may become available.

WHEREFORE, the Notice of Opposition in this matter should be denied and Applicant's application should proceed through prosecution to registration.

Respectfully submitted,

Dated: March 11, 2016

By: /Andrew D. Skale/
Andrew D. Skale
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AAF Nation, LLC

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing ANSWER AND AFFIRMATIVE DEFENSES TO NOTICE OF OPPOSITION was served by U.S. mail, first class, postage prepaid, on this 11th day of March, 2016 on the following:

J. Parks Workman
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Greenville, SC 29602-1449
Attorneys for Opposer
M.J. Soffe, LLC

/Shelly Gause/
Shelly Gause